

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNATHAN CRAFT

Defendant.

Case No. **19-CR-1631 DHU**

**UNOPPOSED
MOTION TO MODIFY CONDITIONS OF SUPERVISED RELEASE**

COMES NOW, Defendant Johnathan Craft, through legal counsel, Barry G. Porter, Burgess and Porter Law, and hereby respectfully submits this Unopposed Motion to Modify Conditions of Supervised Release, replacing the six-month halfway house residency requirement of his initial supervised release period with a six-month period of electronic monitoring with GPS for Mr. Craft.

The United States Probation and Parole Officer assigned to supervise Mr. Craft and the assigned Assistant United States' Attorney do not oppose this request.

PROCEDURAL BACKGROUND

1. Mr. Craft resolved his criminal offenses charged in the superseding indictment in this case by way of a plea agreement entered on July 13, 2023. (Doc. 577).

2. Mr. Craft was sentenced on February 8, 2024, to serve a period of incarceration of 70 months followed by three years of supervised release. (Doc. 658).

3. Included in the special conditions of his supervision was the requirement that Mr. Craft reside at a halfway house for up to six months after his release from his sentence of

incarceration. The specific language of the judgment states: **“You must reside in a residential reentry center for a term of (up to) 180 days. You must follow the rules and regulations of the center.** (Doc. 658)

4. Mr. Craft completes his sentence of incarceration on or about June 5, 2024.

5. Rather than be housed at a residential facility with dozens of federal convicted felons, Mr. Craft sought permission from the United States’ Probation and Parole Division for permission to be released to the residence of his stepfather, Mr. Donald Smith, a certified substance abuse counselor and strong support person for Mr. Craft.

6. On May 24, 2024, USPPPO Supervision Officer, Amy Gee, conducted a home visit to the proposed residence for Mr. Craft with Mr. Smith and found the placement suitable. Ms. Gee asked that the following specific language be added to Mr. Craft’s supervised release conditions in lieu of the six-month halfway house. The specific language states:

You must participate in and successfully complete location monitoring for a period of 180 days in the location monitoring program with the Active Global Positioning Satellite (GPS) technology under the curfew component. You may be required to pay all, or a portion, of the costs of the program.

(See Exhibit A, attached email approvals from USPPPO and from the Assigned AUSA).

7. This modification in his conditions of supervised release will enhance Mr. Craft’s chances of successful supervision.

8. Both the assigned supervising officer of the USPP Office, Amy Gee, and the Assistant United States’ Attorney, Letitia Simms, do not oppose the requested modification of Mr. Craft’s conditions of supervised release.

9. Accordingly, Mr. Craft requests that the Court delete the requirement that he serve his initial period of release from custody in a halfway house, and in lieu of the residency at a halfway house, the Court order that Mr. Craft “participate in and successfully complete location monitoring for a period of 180 days in the location monitoring program with the Active

Global Positioning Satellite (GPS) technology under the curfew component” and may be required to pay all, or a portion, of the costs of the program.

Respectfully Submitted,
BURGESS & PORTER LAW, LLC

/s/ Barrett (Barry) G. Porter

I hereby certify that the foregoing Document was served electronically through the CM/ECF system, which caused electronic service of this document upon the assigned AUSA and all other parties in this matter.

/s/ Barrett (Barry) G. Porter

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